

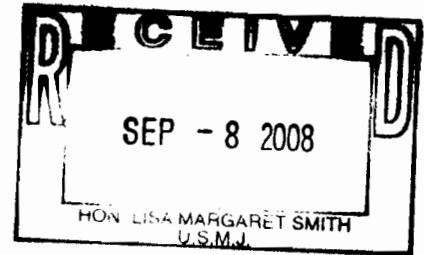
**RUTHERFORD & CHRISTIE, LLP**

NEW YORK

ATLANTA

**MEMO ENDORSED**

September 5, 2008



VIA FACSIMILE

Hon. Lisa Margaret Smith  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: Perez v. Bubaris, et al.  
Docket No.: 07 CV 8780  
Our File No.: 1020.035

Honorable Magistrate Judge Smith:

We represent a defendant, George Bubaris, in the captioned matter. We have spoken to the Westchester County District Attorney's Office and agreed to a briefing schedule for our pending motion to compel and respectfully request that the Court So Order the schedule as follows:

1. Westchester County District Attorney's Office Opposition to be filed by September 25, 2008;
2. Our reply will be filed by October 10, 2008;
3. Oral argument, if any, to be scheduled by the Court.

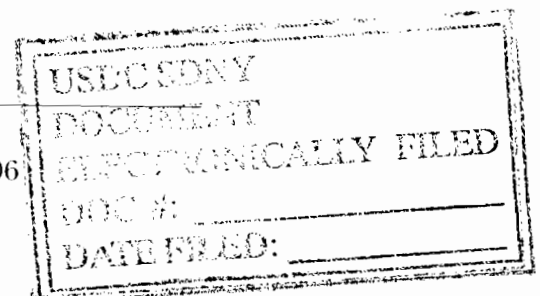
Thank you for your consideration of this matter.

Very truly yours,

**RUTHERFORD & CHRISTIE, LLP**

  
Lewis R. Silverman

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LRSE

*Deemed letter motion. SO ORDERED. Lm. 9/9/08*